

## AIR QUALITY PERMIT

Issued To: Carlson Sand and Gravel, LLC      Permit #3304-01  
4405 Whitefish Stage Road      Administrative Amendment (AA)  
Whitefish, MT 59937      Request Received: 10/03/05  
Department Decision on AA Issued: 11/02/05  
Permit Final: 11/18/05  
AFS #777-3304

An air quality permit, with conditions, is hereby granted to Carlson Sand and Gravel, LLC (Carlson), pursuant to Sections 75-2-204 and 211, Montana Code Annotated (MCA), as amended, and the Administrative Rules of Montana (ARM) 17.8.740, *et seq.*, as amended, for the following:

### Section I: Permitted Facilities

#### A. Plant Location

Carlson operates a portable crushing/screening facility that initially located at the North ½ of Section 21, Township 30 North, Range 21 West, in Flathead County, Montana. However, Permit #3304-01 would apply while operating at any location in Montana, except within those areas having a Department of Environmental Quality (Department) approved permitting program and those areas considered tribal lands. Addendum #2 is included in this permit to allow Carlson to locate in or within 10 kilometers (km) of certain particulate matter with an aerodynamic diameter of 10 microns or less (PM<sub>10</sub>) nonattainment areas during the summer months (April 1-September 30) and at Section 21, Township 30 North, Range 21 West, in Flathead County during the winter months (October 1-March 31). *A Missoula County air quality permit will be required for locations within Missoula County, Montana.*

#### B. Current Permit Action

On September 2, 2005, the Department received a request from Carlson for an administrative amendment to Permit #3304-01 to update Addendum #2 and allow for wintertime operations (October 1-March 31) in the Kalispell PM<sub>10</sub> nonattainment area, at Section 21, Township 30 North, Range 21 West, in Flathead County. Subsequently, on September 28, 2005, the Department sent an incompleteness letter to Carlson to request additional information, which was submitted on October 3, 2005. SCREEN3 modeling was conducted in accordance with the Department's revised modeling guidance, to assist in the determination to allow for wintertime operations. Permit #3304-01 and Addendum #2 were also written in a de minimis friendly manner, allowing Carlson additional flexibility in facility operations while limiting facility emissions.

### Section II: Limitations and Conditions

#### A. Operational Limitations and Conditions

1. Carlson shall not cause or authorize to be discharged into the atmosphere from any Standards of Performance for New Stationary Sources (NSPS) affected crusher, any visible emissions that exhibit an opacity of 15% or greater averaged over six consecutive minutes (ARM 17.8.340, ARM 17.8.752, and 40 CFR Part 60, Subpart OOO).

2. Carlson shall not cause or authorize to be discharged into the atmosphere from any other NSPS affected equipment, such as screens or conveyor transfers, any visible emissions that exhibit an opacity of 10% or greater averaged over six consecutive minutes (ARM 17.8.340, ARM 17.8.752, and 40 CFR 60, Subpart OOO).
3. Carlson shall not cause or authorize to be discharged into the atmosphere, from any non-NSPS affected equipment, any visible emissions that exhibit an opacity of 20% or greater averaged over six consecutive minutes (ARM 17.8.308 and ARM 17.8.752).
4. Water and water spray bars shall be available on site at all times and operated, as necessary, to maintain compliance with the opacity limitations in Sections II.A.1, II.A.2, and II.A.3 (ARM 17.8.752).
5. Carlson shall not cause or authorize to be discharged into the atmosphere from any street, road, or parking lot any visible fugitive emissions that exhibit an opacity of 20% or greater averaged over six consecutive minutes and must take reasonable precautions to control emissions of airborne particulate matter (ARM 17.8.308 and ARM 17.8.752).
6. Carlson shall treat all unpaved portions of the haul roads, access roads, parking lots, or general plant area with water and/or chemical dust suppressant as necessary to maintain compliance with the reasonable precautions limitation in Section II.A.5 (ARM 17.8.749).
7. Crusher production from the facility shall be limited to 2,628,000 tons during any rolling 12-month time period (ARM 17.8.749).
8. Carlson shall not operate more than one crusher at any given time and the maximum rated design capacity of the crusher shall not exceed 300 tons per hour (TPH) (ARM 17.8.749).
9. Total combined screen production from the facility shall be limited to 5,212,200 tons during any rolling 12-month time period (ARM 17.8.749).
10. Carlson shall not operate more than two screens at any given time and the cumulative maximum rated design capacity of the two screens shall not exceed 750 TPH (ARM 17.8.749).
11. Carlson shall not operate more than two diesel generators at any given time and the maximum combined rated design capacity shall not exceed 444 horsepower (HP) (ARM 17.8.749).
12. If the permitted equipment is used in conjunction with any other equipment owned or operated by Carlson, at the same site, production shall be limited to correspond with an emission level that does not exceed 250 tons of emissions during any rolling 12-month time period. Any calculations used to establish production levels shall be approved by the Department (ARM 17.8.749).
13. Carlson shall comply with all applicable standards and limitations, and the reporting, recordkeeping, testing, and notification requirements contained in 40 CFR 60, Subpart OOO (ARM 17.8.340 and 40 CFR 60, Subpart OOO).

B. Testing Requirements

1. Within 60 days after achieving the maximum production rate, but no later than 180 days after initial startup, an Environmental Protection Agency (EPA) Method 9 opacity test and/or other methods and procedures, as specified in 40 CFR Part 60.675, must be performed on any NSPS affected equipment to demonstrate compliance with the emissions limitations contained in Sections II.A.1 and II.A.2 (ARM 17.8.340, 40 CFR Part 60, Subpart A and Subpart OOO).
2. All compliance source tests shall conform to the requirements of the Montana Source Test Protocol and Procedures Manual (ARM 17.8.106).
3. The Department may require further testing (ARM 17.8.105).

C. Operational Reporting Requirements

1. If this portable crushing/screening plant is moved to another location, an Intent to Transfer Form must be sent to the Department. In addition, a Public Notice Form for Change of Location must be published in a newspaper of general circulation in the area to which the transfer is to be made, at least 15 days prior to the move. The Intent to Transfer Form and the proof of publication (affidavit) of the Public Notice Form for Change of Location must be submitted to the Department prior to the move. These forms are available from the Department (ARM 17.8.765).
2. Carlson shall maintain on-site records showing daily hours of operation and daily production rates for the last 12-months. All records compiled in accordance with this permit shall be maintained by Carlson as a permanent business record for at least five years following the date of the measurement, must be available at the plant site for inspection by the Department, and must be submitted to the Department upon request (ARM 17.8.749).
3. Carlson shall supply the Department with annual production information for all emission points, as required by the Department in the annual emission inventory request. The request will include, but is not limited to, all sources of emissions identified in the most recent emission inventory report and sources identified in Section I.A of the permit analysis.

Production information shall be gathered on a calendar-year basis and submitted to the Department by the date required in the emission inventory request. Information shall be in units as required by the Department. This information may be used for calculating operating fees, based on actual emissions from the facility, and/or to verify compliance with permit limitations (ARM 17.8.505).

4. Carlson shall notify the Department of any construction or improvement project conducted, pursuant to ARM 17.8.745, that would include a change in control equipment, stack height, stack diameter, stack flow, stack gas temperature, source location, or fuel specifications, or would result in an increase in source capacity above its permitted operation or the addition of a new emission unit. The notice must be submitted to the Department, in writing, 10 days prior to start-up or use of the proposed de minimis change, or as soon as reasonably practicable in the event of an unanticipated circumstance causing the de minimis change, and must include the information requested in ARM 17.8.745(1)(d) (ARM 17.8.745).
5. Carlson shall document, by month, the total crushing production for the facility.

By the 25th day of each month, Carlson shall calculate the total crushing production from the facility for the previous month. The monthly information will be used to verify compliance with the rolling 12-month limitation in Section II.A.7. The information for each of the previous months shall be submitted along with the annual emission inventory (ARM 17.8.749).

6. Carlson shall document, by month, the total screening production for the facility. By the 25th day of each month, Carlson shall calculate the total screening production from the facility for the previous month. The monthly information will be used to verify compliance with the rolling 12-month limitation in Section II.A.9. The information for each of the previous months shall be submitted along with the annual emission inventory (ARM 17.8.749).

Section III: General Conditions

- A. Inspection - Carlson shall allow the Department's representatives access to the source at all reasonable times for the purpose of making inspections or surveys, collecting samples, obtaining data, auditing any monitoring equipment (CEMS, CERMS) or observing any monitoring or testing, and otherwise conducting all necessary functions related to this permit.
- B. Waiver - The permit and all the terms, conditions, and matters stated herein shall be deemed accepted if Carlson fails to appeal as indicated below.
- C. Compliance with Statutes and Regulations - Nothing in this permit shall be construed as relieving Carlson of the responsibility for complying with any applicable federal or Montana statute, rule or standard, except as specifically provided in ARM 17.8.740, *et seq.* (ARM 17.8.756).
- D. Enforcement - Violations of limitations, conditions and requirements contained herein may constitute grounds for permit revocation, penalties or other enforcement as specified in Section 75-2-401 *et seq.*, MCA.
- E. Appeals - Any person or persons jointly or severally adversely affected by the Department's decision may request, within 15 days after the Department renders its decision, upon affidavit setting forth the grounds therefore, a hearing before the Board of Environmental Review (Board). A hearing shall be held under the provisions of the Montana Administrative Procedures Act. The filing of a request for a hearing does not stay the Department's decision, unless the Board issues a stay upon receipt of a petition and a finding that a stay is appropriate under Section 75-2-211(11)(b), MCA. The issuance of a stay on a permit by the Board postpones the effective date of the Department's decision until conclusion of the hearing and issuance of a final decision by the Board. If a stay is not issued by the Board, the Department's decision on the application is final 16 days after the Department's decision is made.
- F. Permit Inspection - As required by ARM 17.8.755, Inspection of Permit, a copy of the air quality permit shall be made available for inspection by Department personnel at the location of the permitted source.
- G. Permit Fees - Pursuant to Section 75-2-220, MCA, as amended by the 1991 Legislature, failure to pay of the annual operation fee by Carlson may be grounds for revocation of this permit, as required by that Section and rules adopted thereunder by the Board.
- H. Construction Commencement - Construction must begin within three years of permit

issuance and proceed with due diligence until the project is complete or the permit shall be revoked.

- I. The Department may modify the conditions of this permit based on local conditions of any future site. These factors may include, but are not limited to, local terrain, meteorological conditions, proximity to residences, etc.
- J. Carlson shall comply with the conditions contained in this permit while operating at any location in Montana, except within those areas having a Department approved permitting program.

PERMIT ANALYSIS  
Carlson Sand and Gravel, LLC  
Permit Number 3304-01

I. Introduction/Process Description

A. Permitted Equipment

Carlson Sand and Gravel, LLC (Carlson) owns and operates a portable crushing/screening facility consisting of a portable 2003 matrix cone crusher (up to 300 tons per hour (TPH)) with an attached diesel generator/engine (up to 335 horsepower (HP)), a 2003 (6'x12') Chieftain screen (up to 500 TPH) with an attached diesel generator/engine (up to 109 HP), a 1995 (5'x15') Fabtec wash plant screen (up to 250 TPH), and associated equipment.

B. Process Description

Carlson proposes to use this crushing/screening plant and associated equipment to crush sand and gravel materials for use in various construction operations. For a typical operational setup, materials are loaded into the crushing/screening plant by a hopper, transferred by conveyor, and passed through the crusher. Materials are crushed by the crusher and sent to the two screens. Material are screened, separated, and sent to stockpile for sale and use in construction operations.

C. Permit History

On February 5, 2004, Carlson submitted a complete permit application to operate a portable crushing/screening facility consisting of a portable 2003 matrix cone crusher (up to 300 tons per hour (TPH)) with an attached diesel generator/engine (up to 335 horsepower (HP)), a 2003 (6'x12') Chieftain screen (up to 500 TPH) with an attached diesel generator/engine (up to 109 HP), a 1995 (5'x15') Fabtec wash plant screen (up to 250 TPH), and associated equipment. The original location for the facility was the North ½ of Section 21, Township 30 North, Range 21 West, in Flathead County, Montana.

**Addendum #1** was established in Permit **#3304-00**, to allow Carlson to locate in or within 10 kilometers (km) of certain particulate matter with an aerodynamic diameter of 10 microns or less (PM<sub>10</sub>) nonattainment areas during the summer months (April 1 – September 30). Permit #3304-00 and Addendum #1 was issued final on April 17, 2004.

D. Current Permit Action

On September 2, 2005, the Department of Environmental Quality (Department) received a request from Carlson for an administrative amendment to Permit **#3304-00** to update **Addendum #1** and allow for wintertime operations (October 1-March 31) in the Kalispell PM<sub>10</sub> nonattainment area, at Section 21, Township 30 North, Range 21 West, in Flathead County. Subsequently, on September 28, 2005, the Department sent an incompleteness letter to Carlson to request additional information, which was submitted on October 3, 2005. SCREEN3 modeling is being applied to allow for wintertime operations, in accordance with the Departments revised modeling guidance policy. Permit **#3304-01** and **Addendum #2** were also written in a de minimis friendly manner, allowing Carlson additional flexibility in facility operations while limiting facility emissions. Permit #3304-01 will replace Permit #3304-00 and Addendum #2 will replace Addendum #1.

E. Additional Information

Additional information, such as applicable rules and regulations, Best Available Control Technology (BACT)/Reasonably Available Control Technology (RACT) determinations, air quality impacts, and environmental assessments, is included in the analysis associated with each change to the permit.

II. Applicable Rules and Regulations

The following are partial explanations of some applicable rules and regulations that apply to the facility. The complete rules are stated in the Administrative Rules of Montana (ARM) and are available, upon request, from the Department. Upon request, the Department will provide references for locations of complete copies of all applicable rules and regulations or copies where appropriate.

A. ARM 17.8, Subchapter 1 - General Provisions, including, but not limited to:

1. ARM 17.8.101 Definitions. This rule is a list of applicable definitions used in this subchapter, unless indicated otherwise in a specific subchapter.
2. ARM 17.8.105 Testing Requirements. Any person or persons responsible for the emission of any air contaminant into the outdoor atmosphere shall, upon written request of the Department, provide the facilities and necessary equipment (including instruments and sensing devices) and shall conduct tests, emission or ambient, for such periods of time as may be necessary using methods approved by the Department.
3. ARM 17.8.106 Source Testing Protocol. The requirements of this rule apply to any emission source testing conducted by the Department, any source, or other entity as required by any rule in this chapter, or any permit or order issued pursuant to this chapter, or the provisions of the Clean Air Act of Montana, 75-2-101, *et seq.*, Montana Code Annotated (MCA).

Carlson shall comply with all requirements contained in the Montana Source Test Protocol and Procedures Manual, including, but not limited to, using the proper test methods and supplying the required reports. A copy of the Montana Source Test Protocol and Procedures Manual is available from the Department upon request.

4. ARM 17.8.110 Malfunctions. (2) The Department must be notified promptly by telephone whenever a malfunction occurs that can be expected to create emissions in excess of any applicable emission limitation or to continue for a period greater than four hours.
5. ARM 17.8.111 Circumvention. (1) No person shall cause or permit the installation or use of any device or any means which, without resulting in reduction in the total amount of air contaminant emitted, conceals or dilutes an emission of air contaminant that would otherwise violate an air pollution control regulation. (2) No equipment that may produce emissions shall be operated or maintained in such a manner as to create a public nuisance.

B. ARM 17.8, Subchapter 2 - Ambient Air Quality, including, but not limited to:

1. ARM 17.8.210 Ambient Air Quality Standards for Sulfur Dioxide
2. ARM 17.8.211 Ambient Air Quality Standards for Nitrogen Dioxide
3. ARM 17.8.212 Ambient Air Quality Standards for Carbon Monoxide
4. ARM 17.8.220 Ambient Air Quality Standard for Settled Particulate Matter
5. ARM 17.8.223 Ambient Air Quality Standard for PM<sub>10</sub>

Carlson must maintain compliance with the applicable ambient air quality standards.

C. ARM 17.8, Subchapter 3 - Emission Standards, including, but not limited to:

1. ARM 17.8.304 Visible Air Contaminants. This rule requires that no person may cause or authorize emissions to be discharged into the outdoor atmosphere from any source installed after November 23, 1968, that exhibit an opacity of 20% or greater averaged over six consecutive minutes.
2. ARM 17.8.308 Particulate Matter, Airborne. (1) This rule requires an opacity limitation of less than 20% for all fugitive emission sources and that reasonable precautions be taken to control emissions of airborne particulate matter. (2) Under this rule, Carlson shall not cause or authorize the use of any street, road, or parking lot without taking reasonable precautions to control emissions of airborne particulate matter.
3. ARM 17.8.309 Particulate Matter, Fuel Burning Equipment. This rule requires that no person shall cause or authorize to be discharged into the atmosphere particulate matter caused by the combustion of fuel in excess of the amount determined by this section.
4. ARM 17.8.310 Particulate Matter, Industrial Processes. This rule requires that no person shall cause or allow to be discharged into the atmosphere particulate matter in excess of the amount set forth in this section.
5. ARM 17.8.322 Sulfur Oxide Emissions--Sulfur in Fuel. This rule requires that no person shall burn liquid, solid, or gaseous fuel in excess of the amount set forth in this section.
6. ARM 17.8.324 Hydrocarbon Emissions--Petroleum Products. (3) No person shall load or permit the loading of gasoline into any stationary tank with a capacity of 250 gallons or more from any tank truck or trailer, except through a permanent submerged fill pipe, unless such tank truck or trailer is equipped with a vapor loss control device as described in (1) of this rule.
7. ARM 17.8.340 Standards of Performance for New Stationary Sources. This rule incorporates, by reference, 40 CFR 60, Standards of Performance for New Stationary Sources (NSPS). The owner or operator of any stationary source or modification, as defined and applied in 40 CFR Part 60, NSPS, shall comply with the standards and provisions of 40 CFR Part 60.

In order for a crushing/screening plant to be subject to NSPS requirements, two specific criteria must be met. First, the crushing/screening plant must meet the definition of an affected facility and, second, the equipment in question must have been constructed, reconstructed, or modified after August 31, 1983. Based on the information previously submitted by Carlson, the 2003 matrix cone



crusher, 2003 (6'x12') Chieftain screen, and 1995 (5'x15') Fab Tec wash plant screen are subject to NSPS requirements (40 CFR Part 60, Subpart A General Provisions, and Subpart OOO, Non-Metallic Mineral Processing Plants).

C. ARM 17.8, Subchapter 5 - Air Quality Permit Application, Operation, and Open Burning Fees, including, but not limited to:

1. ARM 17.8.504 Air Quality Permit Application Fees. This rule requires that Carlson submit an air quality permit application fee concurrent with the submittal of an air quality permit application. A permit application is incomplete until the proper application fee is paid to the Department. A permit fee is not required for the current permit action because the permit action is considered an administrative permit change.
2. ARM 17.8.505 Air Quality Operation Fees. An annual air quality operation fee must, as a condition of continued operation, be submitted to the Department by each source of air contaminants holding an air quality permit, excluding an open burning permit, issued by the Department. This air quality operation fee is based on the actual or estimated actual amount of air pollutants emitted during the previous calendar year.

An air quality operation fee is separate and distinct from an air quality permit application fee. The annual assessment and collection of the air quality operation fee, described above, shall take place on a calendar-year basis. The Department may insert into any final permit issued after the effective date of these rules, such conditions as may be necessary to require the payment of an air quality operation fee on a calendar-year basis, including provisions that pro-rate the required fee amount.

E. ARM 17.8, Subchapter 7 - Permit, Construction and Operation of Air Contaminant Sources, including, but not limited to:

1. ARM 17.8.740 Definitions. This rule is a list of applicable definitions used in this chapter, unless indicated otherwise in a specific subchapter.
2. ARM 17.8.743 Montana Air Quality Permits--When Required. This rule requires a person to obtain an air quality permit or permit alteration to construct, alter, or use any asphalt plant, crusher, or screen that has the Potential to Emit (PTE) greater than 15 tons per year of any pollutant. Carlson has a PTE greater than 15 tons per year of total particulate matter (PM), particulate matter with an aerodynamic diameter of 10 microns or less (PM<sub>10</sub>), and oxides of nitrogen (NO<sub>x</sub>); therefore, an air quality permit is required.
3. ARM 17.8.744 Montana Air Quality Permits--General Exclusions. This rule identifies the activities that are not subject to the Montana Air Quality Permit Program.
4. ARM 17.8.745 Montana Air Quality Permits—Exclusion for De Minimis Changes. This rule identifies the de minimis changes at permitted facilities that do not require a permit under the Montana Air Quality Permit Program.
5. ARM 17.8.748 New or Modified Emitting Units--Permit Application Requirements. (1) This rule requires that a permit application be submitted prior

to installation, modification, or use of a source. Carlson submitted the required permit application for the current permit action. (7) This rule requires that the applicant notify the public by means of legal publication in a newspaper of general circulation in the area affected by the application for a permit. An affidavit of publication of public notice was not required for the current permit action because the permit change is considered an administrative permit change.

6. ARM 17.8.749 Conditions for Issuance or Denial of Permit. This rule requires that the permits issued by the Department must authorize the construction and operation of the facility or emitting unit subject to the conditions in the permit and the requirements of this subchapter. This rule also requires that the permit must contain any conditions necessary to assure compliance with the Federal Clean Air Act (FCAA), the Clean Air Act of Montana, and rules adopted under those acts.
7. ARM 17.8.752 Emission Control Requirements. This rule requires a source to install the maximum air pollution control capability that is technically practicable and economically feasible, except that BACT shall be utilized. The required BACT analysis is included in Section IV of this permit analysis.
8. ARM 17.8.755 Inspection of Permit. This rule requires that air quality permits shall be made available for inspection by the Department at the location of the source.
9. ARM 17.8.756 Compliance with Other Requirements. This rule states that nothing in the permit shall be construed as relieving Carlson of the responsibility for complying with any applicable federal or Montana statute, rule, or standard, except as specifically provided in ARM 17.8.740, *et seq.*
10. ARM 17.8.759 Review of Permit Applications. This rule describes the Department's responsibilities for processing permit applications and making permit decisions on those permit applications that do not require the preparation of an environmental impact statement.
11. ARM 17.8.762 Duration of Permit. An air quality permit shall be valid until revoked or modified, as provided in this subchapter, except that a permit issued prior to construction of a new or altered source may contain a condition providing that the permit will expire unless construction is commenced within the time specified in the permit, which in no event may be less than 1 year after the permit is issued.
12. ARM 17.8.763 Revocation of Permit. An air quality permit may be revoked upon written request of Carlson, or for violations of any requirement of the Clean Air Act of Montana, rules adopted under the Clean Air Act of Montana, the FCAA, rules adopted under the FCAA, or any applicable requirement contained in the Montana State Implementation Plan (SIP).
13. ARM 17.8.764 Administrative Amendment to Permit. An air quality permit may be amended for changes in any applicable rules and standards adopted by the Board of Environmental Review (Board) or changed conditions of operation at a source or stack that do not result in an increase of emissions as a result of those changed conditions. The owner or operator of a facility may not increase the facility's emissions beyond permit limits unless the increase meets the criteria in ARM 17.8.745 for a de minimis change not requiring a permit, or unless the

owner or operator applies for and receives another permit in accordance with ARM 17.8.748, ARM 17.8.749, ARM 17.8.752, ARM 17.8.755, and ARM 17.8.756, and with all applicable requirements in ARM Title 17, Chapter 8, Subchapters 8, 9, and 10.

14. ARM 17.8.765 Transfer of Permit. (1) This rule states that an air quality permit may be transferred from one location to another if the Department receives a complete notice of Intent to Transfer location, the facility will operate in the new location for less than 1 year, the facility will comply with the FCAA and the Clean Air Act of Montana, and the facility complies with other applicable rules. (2) This rule states that an air quality permit may be transferred from one person to another if written notice of Intent to Transfer, including the names of the transferor and the transferee, is sent to the Department.

F. ARM 17.8, Subchapter 8 - Prevention of Significant Deterioration of Air Quality, including, but not limited to:

1. ARM 17.8.801 Definitions. This rule is a list of applicable definitions used in this subchapter.
2. ARM 17.8.818 Review of Major Stationary Sources and Major Modifications-- Source Applicability and Exemptions. The requirements contained in ARM 17.8.819 through ARM 17.8.827 shall apply to any major stationary source and any major modification with respect to each pollutant subject to regulation under the FCAA that it would emit, except as this subchapter would otherwise allow.

This facility is not a major stationary source since it is not a listed source and the facility's PTE is less than 250 tons per year of any pollutant (excluding fugitive emissions).

G. ARM 17.8, Subchapter 12 - Operating Permit Program Applicability, including, but not limited to:

1. ARM 17.8.1201 Definitions. (23) Major Source under Section 7412 of the FCAA is defined as any stationary source having:
  - a. PTE > 100 tons/year of any pollutant.
  - b. PTE > 10 tons/year of any one Hazardous Air Pollutant (HAP), PTE > 25 tons/year of a combination of all HAPs, or lesser quantity as the Department may establish by rule, or
  - c. PTE > 70 tons/year of PM<sub>10</sub> in a serious PM<sub>10</sub> nonattainment area.
2. ARM 17.8.1204 Air Quality Operating Permit Program Applicability. (1) Title V of the FCAA Amendments of 1990 requires that all sources, as defined in ARM 17.8.1204 (1), obtain a Title V Operating Permit. In reviewing and issuing Air Quality Permit #3304-01 for the Carlson facility, the following conclusions were made:
  - a. The facility's PTE is less than 100 tons/year for any pollutant.

- b. The facility's PTE is less than 10 tons/year for any one HAP and less than 25 ton/year of all HAPs.
- c. This source is not located in a serious PM<sub>10</sub> nonattainment area.
- d. This facility is not subject to any current NESHAP standards.
- e. The facility is currently subject to NSPS standards (40 CFR 60, Subpart A, General Provisions, and Subpart OOO, Non-Metallic Mineral Processing Plants).
- f. This source is not a Title IV affected source nor a solid waste combustion unit.
- g. This source is not an EPA designated Title V source.

Based on these facts, the Department determined that this facility would be a minor source of emissions, as defined under the Title V Operating Permit Program. However, if minor sources subject to NSPS are required to obtain a Title V Operating Permit, Carlson will be required to obtain a Title V Operating Permit.

### III. Emission Inventory

Source	Tons/Year					
	PM	PM <sub>10</sub>	NO <sub>x</sub>	VOC	CO	SO <sub>x</sub>
2003 Matrix cone crusher (up to 300 TPH)	3.29	1.58				
2003 (6'x12') Chieftain 2-deck screen (up to 500 TPH)	23.80	11.33				
1995 (5'x15') FabTec wash plant 3-deck screen (250 TPH)	10.35	4.93				
Material Transfer	21.91	10.58				
Pile Forming	25.39	12.09				
Bulk Loading	6.53	3.02				
Diesel Generator (109 HP)	1.05	1.05	14.80	1.18	3.19	0.98
Diesel Generator (335 HP)	3.23	3.23	45.49	3.62	9.80	3.01
Haul Roads	2.74	1.23				
Total	98.09	49.04	60.29	4.80	12.99	3.99

- A complete emission inventory for Permit #3304-01 is on file with the Department. The facility was limited to 595 TPH from the two screens, in order to keep the PM<sub>10</sub> emissions below the Department PM<sub>10</sub> Modeling Guidance Threshold of 50 Tons Per Year.

### IV. BACT Analysis

A BACT determination is required for any new or altered source. Carlson shall install on the new or altered source the maximum air pollution control capability that is technologically practicable and economically feasible, except that BACT shall be used. A BACT determination was not required for the current permit action because the permit change is considered an administrative permit change.

### V. Existing Air Quality

Addendum #2 of Permit #3304-01 would cover this portable crushing/screening plant while operating in or within 10 km of a PM<sub>10</sub> nonattainment area during the winter months (October 1 through March 31), including the initial site location (the North ½ of Section 21, Township 30 North, Range 21 West, in Flathead County, Montana). Permit #3304-01 would also cover this facility while operating in areas classified as attainment or unclassified for ambient air quality standards.

## VI. Air Quality Impacts

Based on the information provided and the conditions established in Permit #3304-01, the amount of controlled emissions generated by this facility will not exceed any ambient air quality standard established for any of Montana's attainment or unclassified ambient air quality areas. Additionally, the limitations and conditions established in Addendum #2 would further reduce the facility emissions generated while operating in the nonattainment areas and would also be protective of corresponding ambient air quality standards. In addition, this source is portable and any air quality impacts will be minimal. The conditions in Permit #3304-01 will be protective of air quality while operating at locations not located in or within 10 km of certain PM<sub>10</sub> nonattainment areas.

Addendum #2  
Carlson Sand and Gravel, LLC  
Permit #3304-01

An addendum to air quality Permit #3304-01 is issued to Carlson Sand and Gravel, LLC (Carlson), pursuant to Sections 75-2-204 and 75-2-211 of the Montana Code Annotated (MCA), as amended, and the Administrative Rules of Montana (ARM) 17.8.765, as amended, for the following:

I. Permitted Equipment

Carlson applied for Addendum #2 to Permit #3304-01 for the operation of a portable crushing/screening operation in or within 10 kilometers (km) of the following particulate matter with an aerodynamic diameter of 10 microns or less (PM<sub>10</sub>) nonattainment areas: Libby, Thompson Falls, Kalispell, Whitefish, Columbia Falls, and Butte.

II. Seasonal and Site Restrictions

Addendum #2 applies to the Carlson facility while operating at any location in or within 10 km of certain PM<sub>10</sub> nonattainment areas. Additionally, seasonal and site restrictions apply to the facility as follows:

- A. During the winter season (October 1-March 31) – The only location in or within 10 km of a PM<sub>10</sub> nonattainment area where Carlson may operate is Section 21, Township 30 North, Range 21 West, in Flathead County, Montana.
- B. During the summer season (April 1-September 30) – Carlson may operate at any location in or within 10 km of the Butte, Columbia Falls, Libby, Kalispell, Thompson Falls, and Whitefish.
- C. Carlson shall comply with the limitations and conditions contained in Addendum #2 to Permit #3304-01 while operating in or within 10 km of any of the previously listed PM<sub>10</sub> nonattainment areas. Addendum #2 shall be valid until revoked or modified. The Department of Environmental Quality (Department) reserves the authority to modify Addendum #2 at any time based on local conditions of any future site. These conditions may include, but are not limited to, local terrain, meteorological conditions, proximity to residences or other businesses, etc.

III. Limitations and Conditions

A. Operational Limitations and Conditions

- 1. Water spray bars must be operated on the crushers, screens, and all transfer points whenever the crushing/screening plant is operating (ARM 17.8.749).
- 2. All visible emissions from the crushing/screening plant may not exhibit an opacity of 10% or greater averaged over six consecutive minutes (ARM 17.8.749).
- 3. Carlson shall not cause or authorize to be discharged into the atmosphere from any other equipment, such as transfer points, any visible emissions that exhibit an opacity of 10% or greater averaged over six consecutive minutes (ARM 17.8.749).

4. Carlson shall not cause or authorize to be discharged into the atmosphere from haul roads, access roads, parking lots, or the general plant property any visible fugitive emissions that exhibit an opacity of 10% or greater averaged over six consecutive minutes (ARM 17.8.749).
5. Carlson shall treat all unpaved portions of the haul roads, access roads, parking lots, and general plant area with water and/or chemical dust suppressant as necessary to maintain compliance with the 10% opacity limitation (ARM 17.8.749).
6. Crushing production from the crusher shall not exceed 1,560 tons during any rolling 24-hour time period (ARM 17.8.749).
7. Total combined screening production from the two screens shall be limited to 3,120 tons during any rolling 24-hour time period (ARM 17.8.749).

B. Operational Reporting Requirements

1. Carlson shall provide the Department with written notification of job completion within 10 working days of job completion (ARM 17.8.749).
2. Carlson shall provide the Department with written notice of relocation of the permitted equipment within 15 working days before the physical transfer of the equipment (ARM 17.8.765).
3. Production information for the sites covered by this addendum must be submitted to the Department with the annual emission inventory request or within 30 days of completion of the project. The information must include (ARM 17.8.749):
  - a. Tons of material crushed at each site
  - b. Tons of material screened by each screen at each site
  - c. Tons of bulk material loaded at each site
  - d. Daily hours of operation at each site
  - e. Gallons of diesel fuel used for the generators/engines at each site
  - f. Fugitive dust information consisting of a listing of all plant vehicles including the following for each vehicle type:
    - i. Number of vehicles
    - ii. Vehicle type
    - iii. Vehicle weight, loaded
    - iv. Vehicle weight, unloaded
    - v. Number of tires on vehicle
    - vi. Average trip length
    - vii. Number of trips per day per vehicle
    - viii. Average vehicle speed
    - ix. Area of activity
    - x. Vehicle fuel usage (gasoline or diesel) annual total
  - g. Fugitive dust control for haul roads and general plant area:

- i. Hours of operation of water trucks
  - ii. Application schedule for chemical dust suppressant, if applicable
- 4. Carlson shall document, by day, the total crushing production. Carlson shall sum the total crushing production during the previous 24 hours to verify compliance with the limitation in Section III.A.6. A written report of compliance verification and the emissions inventory shall be submitted to the Department annually. The report for the previous calendar year shall be submitted no later than March 15 and may be submitted along with the annual emission inventory (ARM 17.8.749).
- 5. Carlson shall document, by day, the combined total screening production. Carlson shall sum the combined total screening production during the previous 24 hours to verify compliance with the limitation in Section III.A.7. A written report of compliance verification and the emissions inventory shall be submitted to the Department annually. The report for the previous calendar year shall be submitted no later than March 15 and may be submitted along with the annual emission inventory (ARM 17.8.749).



Addendum #2 Analysis  
Carlson Sand and Gravel, LLC  
Permit #3304-01

I. Permitted Equipment

Carlson Sand and Gravel, LLC (Carlson), owns and operates a portable crushing/screening facility consisting of a portable crusher (up to 300 tons per hour (TPH)), diesel generator/engine (up to 335 horsepower (HP)), a screen (up to 500 TPH), diesel generator/engine (up to 109 HP), a wash plant screen (up to 250 TPH), and associated equipment.

II. Source Description

Carlson proposes to use this crushing/screening plant and associated equipment to crush sand and gravel materials for use in various construction operations. For a typical operational setup, materials are loaded into the crushing/screening plant by a hopper and transferred by conveyor and passed through the crusher. Materials are crushed, by the crusher and sent to the two screens. Material are screened, separated, and sent to stockpile for sale and use in construction operations.

III. Applicable Rules and Regulations

The following are partial quotations of some applicable rules and regulations that apply to the facility. The complete rules are stated in the Administrative Rules of Montana (ARM) and are available, upon request, from the Department of Environmental Quality (Department). Upon request, the Department will provide references for locations of complete copies of all applicable rules and regulations or copies where appropriate.

ARM 17.8, Subchapter 7 - Permit, Construction and Operation of Air Contaminant Sources, including, but not limited to:

- A. ARM 17.8.749 Conditions for Issuance of Permit. This rule requires that the source demonstrate compliance with applicable rules and standards before a permit can be issued. Also, a permit may be issued with such conditions as are necessary to assure compliance with all applicable rules and standards. Carlson demonstrated compliance with all applicable rules and standards as required for permit issuance.
- B. ARM 17.8.764 Modification of Permit. An air quality permit may be modified for changes in any applicable rules and standards adopted by the Board of Environmental Review (Board) or changed conditions of operation at a source or stack which do not result in an increase in emissions because of the changed conditions. A source may not increase its emissions beyond those found in its permit unless the source applies for and receives another permit.
- C. ARM 17.8.765 Transfer of Permit. An air quality permit may be transferred from one location to another if:
  - 1. Written notice of Intent to Transfer location and proof of public notice are sent to the Department;
  - 2. The source will operate in the new location for a period of less than 1 year; and
  - 3. The source will not have any significant impact on any nonattainment area or any Class I area.

Carlson must submit proof of compliance with the transfer and public notice

requirements when Carlson transfers to any of the locations covered by this addendum and will only be allowed to stay in the new location for a period of less than 1 year. Also, the conditions and limitations in Addendum #2 to Permit #3304-01 will prevent Carlson from having a significant impact on certain PM<sub>10</sub> nonattainment areas.

#### IV. Emission Inventory

Source	Lb/Day					
	PM	PM <sub>10</sub>	NO <sub>x</sub>	VOC	CO	SO <sub>x</sub>
crusher (up to 300 TPH)	6.57	3.15				
2-deck screen (up to 500 TPH)	63.60	22.67				
wash plant 3-deck screen (up to 250 TPH)	34.49	16.43				
Material Transfer	43.82	21.16				
Pile Forming	50.77	24.18				
Bulk Loading	12.69	6.04				
Diesel Generator (109 HP)	5.76	1.05	14.80	1.18	3.19	0.98
Diesel Generator (335 HP)	17.69	17.69	249.24	19.86	53.71	16.48
Haul Roads	15.00	6.75				
Total	234.39	119.12	264.04	21.04	56.90	17.46

- A complete emissions inventory for Permit #3304-01 is on file with the Department.

#### V. Existing Air Quality

On July 1, 1987, the Environmental Protection Agency (EPA) promulgated new National Ambient Air Quality Standards (NAAQS) for PM<sub>10</sub>. Due to exceedances of the national standards for PM<sub>10</sub>, the cities of Kalispell (and the nearby Evergreen area), Columbia Falls, Butte, Whitefish, Libby, Missoula, and Thompson Falls were designated by EPA as nonattainment for PM<sub>10</sub>. As a result of this designation, EPA required the Department and the City-County Health Departments submit PM<sub>10</sub> State Implementation Plans (SIP). The SIPs consisted of emission control plans that controlled fugitive dust emissions from roads, parking lots, construction, and demolition, since technical studies determined these sources to be the major contributors to PM<sub>10</sub> emissions.

Addendum #2 to Permit #3304-01 is for a portable crushing/screening plant to be located at sites in or within 10 km of certain PM<sub>10</sub> nonattainment areas during both the winter season (October 1 through March 31) and summer season (April 1 through September 30). Wintertime operations are currently limited to Section 21, Township 30 North, Range 21 West, in Flathead County. Summertime operations include, but are not limited to, permitted locations in or within 10 km of the listed PM<sub>10</sub> nonattainment areas; including the Butte, Columbia Falls, Libby, Kalispell, Thompson Falls, and Whitefish PM<sub>10</sub> nonattainment areas.

#### VI. Air Quality Impacts

Carlson applied for an air quality permit to operate a portable crushing/screening plant to be located at various locations throughout Montana. Permit #3304-01 and Addendum #2 will cover the Carlson crushing/screening plant while operating at any location within Montana, excluding those counties that have a Department approved permitting program and those areas considered tribal lands. Based on the information provided, the amount of controlled emissions generated by this facility will not exceed any ambient air quality standard. In addition, this source is portable and any air quality impacts will be minimal.

VII. Taking or Damaging Implication Analysis

As required by 2-10-101 through 105, Montana Code Annotated (MCA), the Department conducted a private property taking and damaging assessment and determined there are no taking or damaging implications.

VIII. Environmental Assessment

This permitting action will not result in an increase of emissions from the facility and is considered an administrative action; therefore, an environmental assessment is not required.

Analysis Prepared By: Ron Lowney

Date: October 11, 2005